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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,217	02/27/2002	Sunit B. Mangalvedhekar	014208.1482 (05-01-011)	6980
46629	7590	05/16/2006	EXAMINER	
BAKER BOTTS, LLP 2001 ROSS AVENUE, 6TH FLOOR DALLAS, TX 75201			COBY, FRANTZ	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,217

Applicant(s)

MANGALVEDHEKAR, SUNIT B.

Examiner

Frantz Coby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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This is in response to Applicant's amendment filed on February 14, 2005 in which claims 1-32 are presented for examination.

Status of Claims

Claims 1-32 are pending, of which claims 1, 9, 16 and 25 are independent claims.

Response to Arguments

Applicant's arguments filed on the aforementioned date have been fully considered but they are not persuasive. Therefore, the rejection of claims 1-4, 7-11, 14-20, 23-29 and 32 under section 102(e) mailed on November 18, 2005 remains. Claims 5-6, 12-13, 21-22, 30-31 remains objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The rejection follows:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4, 7-11, 14-20, 23-29 and 32 rejected under 35 U.S.C. 102(e) as being anticipated by Acharya et al. U.S. Patent no. 6,408,296.

As per claims 1-3, 9-10, 16-19, 25-26, and 28 Acharya et al. disclose "a method for preparing files for storage in a server" by providing a server or a proxy machine to store prepared files (See Acharya et al. Abstract; Col. 2, lines 10-41), especially, the aspect of having a server or a proxy machine to use a look-up table which relates a logical link to an actual electronic address). In particular, Acharya et al. disclose the claimed limitations of "generating a profile for a selected file, the profile identifying at least one associated file to be accessed by the selected file" as an indirect link (See Acharya et al. Col. 3, lines 35-62). The applicant should duly note that Acharya et al. disclose a profile in the context of Applicant's invention because the Applicant describes a profile for a given file to be files that are immediately associated with the file (See Applicant's specification Page 11, line 31-Page 12, line 1). In this case, the indirect link is the immediate file associated with the file in Acharya et al.; that therefore, falls in the

category of a profile. Last, Acharya et al. disclose the claimed feature of “transmitting, to a server, the selected file, the profile, and the at least one associated file” by providing mechanisms for transmitting files which link to indirect links over a communication network (See Acharya et al. Col. 2, lines 10-41; Col. 3, lines 53-62). Note that, when a file is transmitted, according to Acharya et al., the indirect link and associated files are transmitted with the file.

As to the claimed limitations of “in response to identifying all the associated files, initiation downloading of all associated files from the server”, Acharya et al. achieved this claimed limitations when the web server responds to file requests by transmitting the file identified in the URL via the internet to the proxy machine (Col. 3, lines 1-15). Notice, when data is being transmitted from a server machine to a proxy machine or a client machine, the act downloading data or files is achieved.

As to the claimed feature of “providing a parent file having at least one level of descendent file”, Acharya et al. provides a file having a descendent associated file such as the indirect link (See Col. 3, lines 44-47)

As to a list of all the descendent files, Acharya et al. provides a look-up table storing all the logical links (associated with the indirect link) Col. 3, lines 49-62).

As per claims 4, 11, 20 and 29, most of the limitations of these claims have been noted in the rejection of claims 1-3, 9-10 16-19 and 25-26, 28 above. In addition, Acharya et al. disclose the claimed feature of “associating a globally unique identifier with each of the files, wherein the profile additionally identifies the at least one

associated file by the respective globally unique identifiers” as a logical reference associated with an indirect link having the format of <http://www.bell-labs.com/user/mypapers> (See Acharya et al. Col. 3, lines 40-47).

As per claims 7-8 14-15, 23-24 and 32 most of the limitations of these claims have been noted in the rejection of claims 1-3, 9-10, 25-26, and 28 above. In addition, Acharya et al. disclosed a document manager at the server for indexing the profile through a look-up table, which stores the mapping of every logical reference (See Acharya et al. Col. 3, lines 53-62); and “storing at least one associated file in a memory associated with a client under a local identifier” (See Acharya et al. Col. 3, line 11-15).

As per claim 27, most of the limitations of this claim have been noted in the rejection of claims 1-3, 9-10 and 25-26, 28 above. In addition, Acharya et al. disclose the claimed feature of “a drawing package” since a user can request an image using the Web Browser running on the Web client (See Acharya et al. Col. 1, line 1-2).

Allowable Subject Matter

Claims 5-6, 12-13, 21-22, 30-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record failed to show "after transmitting the selected file, the profile, and the at least one associated file, determining if any of the at least one associated file is a missing file, wherein the missing file is any of the at least one associated file that has a different identifier than the identifier used by the profile to identify the at least one associated file; and searching using a globally unique identifier associated with each of the at least one associated file, for the missing file".

Remarks

The Applicant argued that, "Acharya does not disclose, teach, or suggest generating a profile for a selected file, the profile identifying at least one associated file to be accessed by the selected file". The Examiner, on the other hand, disagrees with the preceding argument because Acharya et al. disclose "a method for preparing files for storage in a server" by providing a server or a proxy machine to store prepared files (See Acharya et al. Abstract; Col. 2, lines 10-41), especially, the aspect of having a server or a proxy machine to use a look-up table which relates a logical link to an actual electronic address). In particular, Acharya et al. disclose the claimed limitations of "generating a profile for a selected file, the profile identifying at least one associated file to be accessed by the selected file" as an indirect link (See Acharya et al. Col. 3, lines 35-62). The applicant should duly note that Acharya et al. disclose a profile in the context of Applicant's invention because the Applicant describes a profile for a given file to be files that are immediately associated with the file (See Applicant's specification

Page 11, line 31-Page 12, line 1). In this case, the indirect link is the immediate file associated with the file in Acharya et al.; that therefore, falls in the category of a profile. Last, Acharya et al. disclose the claimed feature of "transmitting, to a server, the selected file, the profile, and the at least one associated file" by providing mechanisms for transmitting files which link to indirect links over a communication network (See Acharya et al. Col. 2, lines 10-41; Col. 3, lines 53-62). Note that, when a file is transmitted, according to Acharya et al., the indirect link and associated files are transmitted with the file.

The Applicant also argued that, "nothing in Acharya discloses, teaches, or suggests a profile that identifies files to be accessed by a selected file for which the profile was generated. Since nothing in Acharya discloses, teaches, or suggests either a profile identifying at least one associated file" or at least one associated file to be accessed by the selected file," as recited in Applicant's Claim 1, Acharya also cannot be said to disclose, teach, or suggest transmitting, to a server, the selected file, the profile, and the at least one associated file," as recited in Applicant's Claim 1". The Examiner disagrees with the preceding argument because as explained above, Acharya et al. disclose an indirect link that identifies a file to be retrieve; including, methodologies wherein a server transmits a web page containing an indirect link to a client responsively to the client's request, the user selects an indirect link at the client, the client transmits a logical reference associated with the indirect link to the server identified in the logical reference, the server identifies a current electronic address of the

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file identified by the logical reference and the server transmits the file identified by the electronic address to the client (See Acharya et al. Figure 3 and corresponding text).

The applicant should duly note that Acharya et al. disclose a profile in the context of Applicant's invention because the Applicant describes a profile for a given file to be files that are immediately associated with the file (See Applicant's specification Page 11, line 31-Page 12, line 1). In this case, the indirect link is the immediate file associated with the file in Acharya et al.; that falls in the category of a profile. This is, therefore, a clear indication of the Acharya's teachings of a profile that identifies files to be accessed by a selected file for which the profile was generated, and transmitting, to a server, the selected file, the profile, and the at least one associated file.

The Applicant further argued, "There is no disclosure of after transmitting the selected file, the profile, and all of the associated files, initiating downloading of the selected file from the server; identifying all of the associated files by examining the profile; and in response to identifying all of the associated files, initiating downloading of all of the associated files from the server". However, as detailed the previous office action, Acharya et al. achieved the aforementioned claimed feature because when the web server responds to file requests the server transmitting the file identified in the URL via the internet to the proxy machine (Col. 3, lines 1-15). Notice, when data is being transmitted from a server machine to a proxy machine or a client machine, the act downloading data or files is achieved since downloading is to transfer a copy of a file

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form a remote computer to the requesting computer by means of a modem or network or to send a block of data to a dependent device.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Saturday 3:00PM-10:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571 272 4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FRANTZ COBY
PRIMARY EXAMINER

May 12, 2006